

United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/630,136	07/31/2003	Michael A. Guantonio	6679		
7590 02/22/2006			EXAMINER		
James A. Hudak, Esq. Suite #304			SAETHER, FLEMMING		
29425 Chagrin	Blvd.		ART UNIT	PAPER NUMBER	
Cleveland, OH 44122			3677		

DATE MAILED: 02/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Notice of Abandonment 10/830,136			Application No.	Applicant(s)	Applicant(s)				
Examiner Art Unit			10/630.136	GUANTONIO. I	MICHAEL A.				
- The MAILING DATE of this communication appears on the cover sheet with the correspondence address— This application is abandoned in view of: 1. ② Applicant's failure to timely file a proper reply to the Office letter mailed on 13 July 2005. (a) □ A reply was received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply (including a total extension of time of month(s)) which expired on (b) □ A proposed reply was received on but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection. (A proper reply under 37 CFR 1.137 (a) a final rejection consists only off. (1) a timely filed amendment within places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.134. (c) □ A reply was received on but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.35(a) and 1.111. (See explanation in box 7 below). (d) ☑ No reply has been received. 2. □ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85). (b) □ The sisue fee and publication fee, applicable, was received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85). (c) □ The issue fee required by 37 CFR 1.18 is \$ The publication fee, if required by 37 CFR 1.18(d), is \$ The publication fee, if required by 37 CFR 1.18(d), is \$ The publication fee, if required by 37 CFR 1.18(d), is \$ The publication fee, if required by 37 CFR 1.18(d), is \$ The publication fee, if required by 37 CFR 1.18(d), is \$ The publication		Notice of Abandonment							
- The MAILING DATE of this communication appears on the cover sheet with the correspondence address— This application is abandoned in view of: 1. ② Applicant's failure to timely file a proper reply to the Office letter mailed on 13 July 2005. (a) □ A reply was received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply (including a total extension of time of month(s)) which expired on (b) □ A proposed reply was received on but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection. (A proper reply under 37 CFR 1.137 (a) a final rejection consists only off. (1) a timely filed amendment within places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.134. (c) □ A reply was received on but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.35(a) and 1.111. (See explanation in box 7 below). (d) ☑ No reply has been received. 2. □ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85). (b) □ The sisue fee and publication fee, applicable, was received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85). (c) □ The issue fee required by 37 CFR 1.18 is \$ The publication fee, if required by 37 CFR 1.18(d), is \$ The publication fee, if required by 37 CFR 1.18(d), is \$ The publication fee, if required by 37 CFR 1.18(d), is \$ The publication fee, if required by 37 CFR 1.18(d), is \$ The publication fee, if required by 37 CFR 1.18(d), is \$ The publication			Flemming Saether	3677					
1. Standards failure to timely file a proper reply to the Office letter mailed on 13.1ulv 2005.									
(a) ☐ A reply was received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply (including a total extension of time of month(s)) which expired on (b) ☐ A proposed reply was received on, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection. (A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114). (c) ☐ A reply was received on timel to does not constitute a proper reply, or a bona fide attempt at a proper reply, to the nonfinal rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below). (d) ☐ No reply has been received. 2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85). (a) ☐ The issue fee and publication fee, if applicable, was received on (with a Certificate of Mailing or Transmission dated hinch is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85). (b) ☐ The submitted fee of \$ is insufficient. A balance of \$ is due. This issue fee required by 37 CFR 1.18 is \$ The publication fee, if required by 37 CFR 1.18(d), is \$ (e) ☐ The issue fee and publication fee, if applicable, has not been received. 3☐ Applicant's failure to timely flie corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37). (a) ☐ Proposed corrected drawings were received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply. (b) ☐ No corrected drawings ha									
(a) ☐ A reply was received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply (including a total extension of time of month(s)) which expired on (b) ☐ A proposed reply was received on, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection. (A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114). (c) ☐ A reply was received on timel to does not constitute a proper reply, or a bona fide attempt at a proper reply, to the nonfinal rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below). (d) ☐ No reply has been received. 2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85). (a) ☐ The issue fee and publication fee, if applicable, was received on (with a Certificate of Mailing or Transmission dated hinch is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85). (b) ☐ The submitted fee of \$ is insufficient. A balance of \$ is due. This issue fee required by 37 CFR 1.18 is \$ The publication fee, if required by 37 CFR 1.18(d), is \$ (e) ☐ The issue fee and publication fee, if applicable, has not been received. 3☐ Applicant's failure to timely flie corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37). (a) ☐ Proposed corrected drawings were received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply. (b) ☐ No corrected drawings ha		1 X Applicant's failure to timely file a proper reply to the Office	e letter mailed on <i>13 July 2005</i>						
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.113. (c) ☐ A reply was received on but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below). (d) ☒ No reply has been received. 2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85). (a) ☐ The issue fee and publication fee, if applicable, was received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85). (b) ☐ The issue fee required by 37 CFR 1.18 is \$ The publication fee, if required by 37 CFR 1.18(d), is \$ C. (c) ☐ The issue fee and publication fee, if applicable, has not been received. 3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37). (a) ☐ Proposed corrected drawings were received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply. (b) ☐ No corrected drawings have been received. 4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants. 5. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants. 6. ☐ The decision by the Board of Patent Appeals and Interference rendered on and because the period		(a) A reply was received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the							
application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.) (c) ☐ A reply was received on but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.185(a) and 1.111. (See explanation in box 7 below). (d) ☑ No reply has been received. 2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85). (a) ☐ The issue fee and publication fee, if applicable, was received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85). (b) ☐ The submitted fee of \$ is insufficient. A balance of \$ is due The issue fee required by 37 CFR 1.18 is \$ The publication fee, if required by 37 CFR 1.18(d), is \$ (c) ☐ The lissue fee and publication fee, if applicable, has not been received. 3☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37). (a) ☐ Proposed corrected drawings were received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply. (b) ☐ No corrected drawings have been received. 4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants. 5. ☐ The letter of express abandonment which is signed by an attorney or agent of record, the assignee of the entire interest, or all of the applicants. 6. ☐ The decision by the Board of Patent Appeals and Interference rendered on and because the period for seeking court review of the decision has expir									
final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below). (d) ⊠ No reply has been received. 2. □ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85). (a) □ The issue fee and publication fee, if applicable, was received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85). (b) □ The submitted fee of \$ is insufficient. A balance of \$ is due. The issue fee required by 37 CFR 1.18 is \$ The publication fee, if required by 37 CFR 1.18(d), is \$ (c) □ The issue fee and publication fee, if applicable, has not been received. 3. □ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37). (a) □ Proposed corrected drawings were received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply. (b) □ No corrected drawings have been received. 4. □ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants. 5. □ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application. 6. □ The decision by the Board of Patent Appeals and Interference rendered on and because the period for seeking court review of the decision has expired and there are no allowed claims. 7. □ The reason(s) below: **Primary Examiner Art Unit: 3677 Petitions to review under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.		application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for							
2. Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85). (a) The issue fee and publication fee, if applicable, was received on (with a Certificate of Mailing or Transmission dated hallowance (PTOL-85). (b) The submitted fee of \$ is insufficient. A balance of \$ is due. The issue fee required by 37 CFR 1.18 is \$ The publication fee, if required by 37 CFR 1.18 (d), is \$ (c) The issue fee and publication fee, if applicable, has not been received. 3. Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37). (a) Proposed corrected drawings were received on (with a Certificate of Mailing or Transmission dated (), which is after the expiration of the period for reply. (b) No corrected drawings have been received. 4. The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants. 5. The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application. 6. The decision by the Board of Patent Appeals and Interference rendered on and because the period for seeking court review of the decision has expired and there are no allowed claims. 7. The reason(s) below:									
from the malling date of the Notice of Allowance (PTOL-85). (a) The issue fee and publication fee, if applicable, was received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85). (b) The submitted fee of \$ is insufficient. A balance of \$ is due. The issue fee required by 37 CFR 1.18 is \$ The publication fee, if required by 37 CFR 1.18(d), is \$ (c) The issue fee and publication fee, if applicable, has not been received. 3		(d) ⊠ No reply has been received.							
		from the mailing date of the Notice of Allowance (PTOL-85).							
The issue fee required by 37 CFR 1.18 is \$ The publication fee, if required by 37 CFR 1.18(d), is \$ (c) □ The issue fee and publication fee, if applicable, has not been received. 3. □ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37). (a) □ Proposed corrected drawings were received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply. (b) □ No corrected drawings have been received. 4. □ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants. 5. □ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application. 6. □ The decision by the Board of Patent Appeals and Interference rendered on and because the period for seeking court review of the decision has expired and there are no allowed claims. 7. □ The reason(s) below: Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term. U.S Patent and Transmish Office.), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of							
(c)		(b) The submitted fee of \$ is insufficient. A balance of \$ is due.							
3. Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37). (a) Proposed corrected drawings were received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply. (b) No corrected drawings have been received. 4. The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants. 5. The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application. 6. The decision by the Board of Patent Appeals and Interference rendered on and because the period for seeking court review of the decision has expired and there are no allowed claims. 7. The reason(s) below:		The issue fee required by 37 CFR 1.18 is \$ The publication fee, if required by 37 CFR 1.18(d), is \$							
Allowability (PTO-37). (a) Proposed corrected drawings were received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply. (b) No corrected drawings have been received. 4. The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants. 5. The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filling of a continuing application. 6. The decision by the Board of Patent Appeals and Interference rendered on and because the period for seeking court review of the decision has expired and there are no allowed claims. 7. The reason(s) below: Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term. US. Patent and Trademark Office	(c) ☐ The issue fee and publication fee, if applicable, has not been received.								
after the expiration of the period for reply. (b) No corrected drawings have been received. 4. The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants. 5. The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application. 6. The decision by the Board of Patent Appeals and Interference rendered on and because the period for seeking court review of the decision has expired and there are no allowed claims. 7. The reason(s) below: Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term. U.S. Patent and Trademark Office									
 4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants. 5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application. 6. ☐ The decision by the Board of Patent Appeals and Interference rendered on and because the period for seeking court review of the decision has expired and there are no allowed claims. 7. ☐ The reason(s) below: Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to	(a) Proposed corrected drawings were received on (with a Certificate of Mailing or Transmission dated), which is								
the applicants. 5. The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application. 6. The decision by the Board of Patent Appeals and Interference rendered on and because the period for seeking court review of the decision has expired and there are no allowed claims. 7. The reason(s) below: Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term. U.S. Patent and Trademark Office									
1.34(a)) upon the filing of a continuing application. 6. The decision by the Board of Patent Appeals and Interference rendered on and because the period for seeking court review of the decision has expired and there are no allowed claims. 7. The reason(s) below: Flemming Saether Primary Examiner Art Unit: 3677 Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term. U.S. Patent and Trademark Office									
of the decision has expired and there are no allowed claims. 7. The reason(s) below: Flemming Saether Primary Examiner Art Unit: 3677 Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term. U.S. Patent and Trademark Office									
Flemming Saether Primary Examiner Art Unit: 3677 Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term. U.S. Patent and Trademark Office									
Primary Examiner Art Unit: 3677 Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term. U.S. Patent and Trademark Office	7. The reason(s) below:								
Primary Examiner Art Unit: 3677 Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term. U.S. Patent and Trademark Office									
Primary Examiner Art Unit: 3677 Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term. U.S. Patent and Trademark Office									
minimize any negative effects on patent term. U.S. Patent and Trademark Office		Primary Examiner							
U.S. Patent and Trademark Office									
		U.S. Patent and Trademark Office	of Abandonment	Part of Pa	per No. 20060220				